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COMMISSIONER

APPENDIX V

Chemicals of High Concern

**Maine Department of Environmental Protection
Process Documentation for
Investigating Chemical Presence in Consumer Products**

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Review Process

Maine law requires that development of Maine's list of Chemicals of High Concern (CHC) is to be cooperatively determined by the Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention ("Maine CDC"), and the Maine Department of Environmental Protection ("Department"). (38 M.R.S.A. § 1693-A(1)). An agreement of shared responsibility for research of chemical classification criteria was established between the agencies. The Department assumed responsibility for research of evidence that chemicals are present in consumer products. Evidence of presence in consumer products exists if "...the chemical has been added to or is present in a consumer product used or present in the home." (38 M.R.S.A. § 1693-A(2)(C)).

The Department undertook an extensive review of publically available resources meeting the "credible scientific evidence" standard detailed in law. Maine law requires strong, credible scientific evidence as the standard for classifying chemicals of high concern and defines credible scientific evidence as, "the results of a study, the experimental design and conduct of which have undergone independent scientific peer review, that are published in a peer-reviewed journal or publication of an authoritative federal or international governmental agency..." (38 M.R.S.A. § 1691 (8-A)). Chemicals from the Maine chemicals of concern list meeting the criteria of evidence of presence in consumer products based upon the literature review were documented in the CHC list (details are provided in the Department's chemical candidate spreadsheet).

The Danish Environmental Protection Agency (DEPA) has a comprehensive consumer product chemical analysis program. Due to the comprehensive nature of the program and the analysis, the Department cites this reference extensively and includes the individual summary report numbers on the spreadsheet of candidate chemicals published on the Department's website (which includes citations for each reference described here).

References

The Department utilized the following references in the evaluation of the list of candidate chemicals for presence in consumer products:

Chemical Assessment and Management Program (ChAMP)

The Chemical Assessment and Management Program (ChAMP) is no longer updated, and was superseded by other initiatives in 2009. Under ChAMP, the U.S. EPA evaluated and assigned priority for follow-up action on high production volume (HPV) and medium production volume (MPV) chemicals. EPA produced a number of monographs for a limited number of chemicals that included information on chemical properties, toxicity, and in some instances product information.



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Danish Environmental Protection Agency (DEPA)

The Danish Environmental Protection Agency (DEPA) conducts a consumer products program. This includes a series of reports on chemicals present in consumer products as tested by the Danish EPA. This database was used to identify chemicals in children's and other household products. All Danish Ministry of the Environment references may be found at the end of this document and at the following internet address:

[http://www.mst.dk/English/Chemicals/consumers_consumer_products/]

Dutch Reports

The Netherlands Food and Consumer Product Safety Authority (NL) monitors food and consumer products to safeguard public health. This Authority controls entire production chains, from raw materials and processing aids, to end products and consumption. Dutch references cited may be found at the end of this document and at following internet address:

[<http://www.vwa.nl/>]

Environmental Health Perspectives (EHP)

A monthly journal of peer-reviewed research and news, EHP is published by the U.S. National Institute of Environmental Health Sciences, National Institutes of Health, and the Department of Health and Human Services. EHP serves as a forum for the discussion of the interrelationships between the environment and human health by publishing peer-reviewed research in a balanced and objective manner. EHP is the third-ranked monthly journal in environmental sciences. Receiving more than 1,200 research manuscripts each year, EHP has an acceptance rate of 22%. Research articles are published within 24 hours of acceptance as Ahead of Print (AOP) articles and are citable using the CrossRef DOI system. [<http://dx.doi.org/10.1289/ehp.1104052>]

Environmental Science and Technology (ES&T)

Published peer-reviewed studies provide added value to Maine's exposure research, to the extent that more current data strengthens evidence and develops the analysis of predetermined data sets. ES&T is an authoritative source of information utilized by a wide range of environmental disciplines. ES&T publishes original research, which is reviewed by the editor and other scientists who assess the significance, originality, and validity of the work, as well as its appropriateness for publication. Widely utilized as a reference across disciplines, ES&T ranks number one in total citations in the Environmental Engineering and Environmental Sciences categories (as reported by the 2010 Journal Citation Reports®). ES&T studies referenced are cited at the end of this document.



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EPA Inventory Use and Reporting (IUR) Database

The IUR database, now known as Chemical Data Reporting (CDR), collects quality screening-level, exposure-related information on chemical substances and makes this information available for use by the U.S. EPA and the public. The CDR data are used to support risk screening assessment, priority setting and management activities, and constitute the most comprehensive source of basic screening-level, exposure-related information on chemicals available to the EPA. The CDR data bank may be found at the following internet address:
[<http://epa.gov/iur/index.html>]

ESIS Risk Assessment Reports

The ESIS (European chemical Substances Information System) of the European Commission Joint Research Centre Institute for Health and Human Protection is a complex, heterogeneous information system that provides information on chemicals. Several aspects of the ESIS system are managed by the European Chemicals Agency (ECHA). This resource was used to identify chemical use in consumer products by review of Risk Assessment Reports (RAR). The ESIS website may be found at the following internet address: [<http://esis.jrc.ec.europa.eu/>]

German Federal Environment Agency (German FEA)

The German Federal Environment Agency (Umwelt Bundes Amt (UBA)) was founded within Germany's central federal authority on environmental matters and is the scientific environmental authority under the jurisdiction of the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety. The UBA is mandated to provide scientific support to the Federal Government of Germany, implement environmental laws, and inform the public regarding environmental protection efforts; experts within the UBA utilize in-house laboratories, in addition to commissioning research to scientific institutions. The agency has adopted an interdisciplinary approach in its activities, to include economists, chemists, biologists, and legal experts working in unison to outline whole solutions to environmental risks. The UBA is an acting partner for many of Germany's international organizations, including the World Health Organization. The UBA report reference may be found at the end of this document and at the following internet address: [<http://www.umweltbundesamt.de/>]

Hazardous Substances Data Bank

The Hazardous Substances Data Bank (HSDB) of the National Library of Medicine is a toxicology data file that focuses on the toxicology of potentially hazardous chemicals. All data are referenced and derived from a core set of books, government documents, technical reports and selected primary journal literature. HSDB is peer-reviewed by the Scientific Review Panel



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(SRP), a committee of experts in the major subject areas within the data banks scope. The HSDB data bank may be found at the following internet address: [<http://toxnet.nlm.nih.gov>]

Household Products Database

The Household Products Database (HPD) is sponsored by the National Library of Medicine, uses information gathered from publicly available sources. Neither NLM nor its contractor (Database Providers) test products or investigate to determine if information listed is complete or accurate. The HPD database may be found at the following internet address: [<http://hpd.nlm.nih.gov/>]

Substances in Products in the Nordic Countries (SPIN)

SPIN is a database formulated by the combination of the Product Registries of Norway, Sweden, Denmark, and Finland. Financed by the Nordic Council of Ministers Chemical Group, the database provides information about the chemical compounds register. National legislation in these Nordic Countries requires manufacturers and importers to declare chemical substances and products to the product registers. Data compiled in the registers includes information on chemical function, industrial category, classification, composition, and quality. These registers provide a valuable reference for national authorities, and are generally used as support for risk assessments, statistical calculations, substance flow analysis, supervision activities, as well as poison information centers. SPIN is the result of a common Nordic initiative to gather non-confidential information from the Nordic product registers on the common use of chemical substances in different types of products and industrial areas. No specific product names are included within the data stored in SPIN, only the identity of commonly used chemical substances, their inherent properties and the product categories they are reported to have been used in are specified. It should be noted that each country comprising the Nordic group producing SPIN does not require registration of information equally. Denmark and Norway require information on all constituents for the products which mandate a declaration of ingredients. The Swedish government provides a provision allowing substances that are not classified as dangerous and make up less than 5% of a product to be omitted from the declaration of information. Finland registers information on the composition of products from safety data sheets. Therefore, complete information on the exact composition of all product categories is, consequently, not necessarily provided within SPIN. The SPIN database may be found at the following internet address: [<http://188.183.47.4/dotnetnuke/Home/tabid/58/Default.aspx>]



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U.S. EPA Toxic Substances Control Act (TSCA) Work Plan Chemicals

The U.S. EPA uses its statutory authorities, including TSCA, as well as voluntary activities in implementing programs that address pollution prevention, risk assessment, hazard and exposure assessment and characterization, and risk management for chemical substances in commercial use. The U.S. EPA has evolved its approach to its chemicals management program to include an identified group of TSCA Work Plan Chemicals ("Work Plan") for risk assessment under TSCA. The screening process for identifying chemicals for the Work Plan list include the following factors: potentially of concern to children's health; neurotoxic effects; persistent, bioaccumulative, and toxic; probable or known carcinogens; used in children's products; detected in biomonitoring programs. In March 2012, the U.S. EPA identified a work plan of 83 chemicals for further assessment under TSCA, seven of these for risk assessment during the year 2012. Each of the 83 chemicals identified in the Work Plan scored high in this screening process based on their combined hazard, exposure, and persistence and bioaccumulation characteristics. The TSCA Work Plan Chemicals may be found at the following internet address:
[<http://www.epa.gov/opptintr/existingchemicals/pubs/workplan.html>]

Voluntary Children's Chemical Evaluation Program (VCCEP)

This program, sponsored by the U.S. EPA, asks companies that manufacture or import selected chemicals, to voluntarily provide information on health effects, exposure, risk, and data needs. Companies involved collect and/or develop health effects and exposure information on their selected chemical(s) and integrate that information in a risk assessment. The VCCEP data referenced may be found at the following internet address: [<http://www.epa.gov/oppt/vccep/>]



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